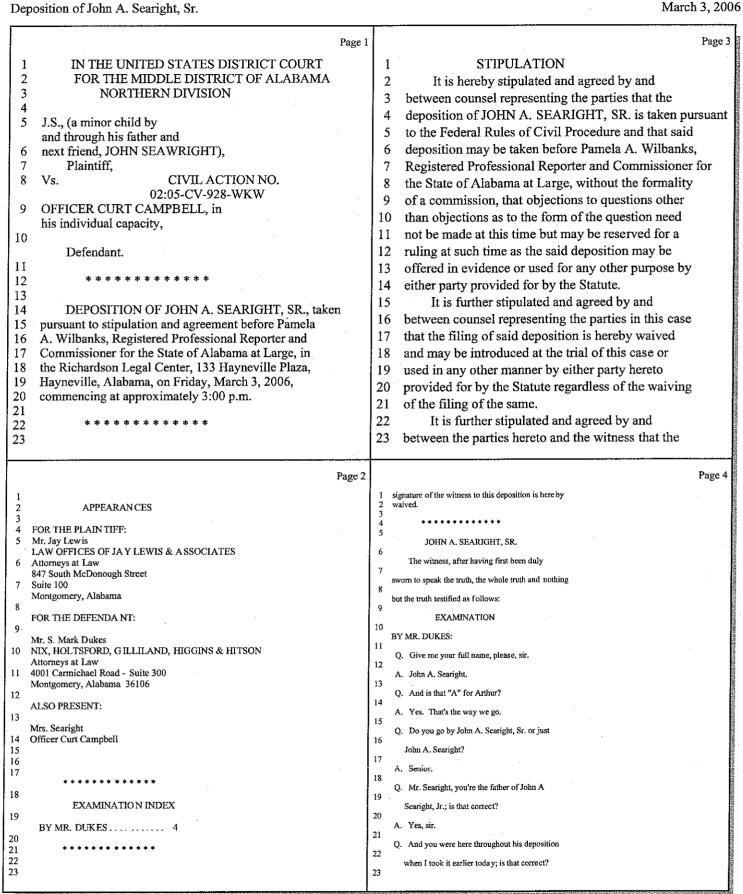
Exhibit 4 Deposition of John Searight



March 3, 2006

Q. And your wife was here throughout his deposition too; is that also correct? A. Yes, sir. Q. Mr. Searight, I'm going to tell you briefly some of the same stuff I told your son that everybody has been referring to as Candy Man. This is my only chance I get to talk to you unless we go to trial. I mean, you can talk to your lawyer anytime you want to, pick up the phone and talk to him, and he can do the same. But this is the only time I get to talk to with you so I want to make sure I communicate as effectively as possible. MR. LEWIS: Let me interject there because you talked about his 1 as of the legal posture of this. MR. DUKES: Okay. MR. DUKES: Okay. A. Yes, sir. Q. Because as you can understand, when this gets written out, sometimes that gets confusing and we may not get the answer down that you intended to give. And I want to make sure that we have the answer that you intended to give. Fair enough? A. Yes, sir. Q. Mr. Searight, I'm going to tell you briefly that we have the answer that you intended to give. Fair enough? A. Yes, sir. Q. Mr. Searight, I'm going to tell you briefly that we have the answer that you intended to give. Fair enough? A. Yes, sir. Q. Mr. Searight, I'm going to tell you briefly that we have the answer that you intended to give. Fair enough? A. Yes, sir. Q. Mr. Searight, l'm going to tell you briefly that we have the answer that you intended to give. And I want to make sure that we have the answer that you intended to give. Fair enough? A. Yes, sir. Q. Mr. Searight, l'u want to make sure I and I we have the answer that you intended to give. Fair enough? A. Yes, sir. Q. Mr. Searight, l'u want to make sure I and I we have the answer that you intended to give. Fair enough? A. Yes, sir. Q. Mr. Searight, l'u want to make sure I and I we have the answer that you intended to give. Fair enough? A. Jay-Jay. That's my nickname. Q. Where were you born? A. Fort Deposit. Q. Were you raised there? A. Yes, sir. Q. Have you ever lived anywhere else other than Fort Deposit?	-		1	
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March 3, 2006

1 Q. Both your daughters live with you there? 2 A. No, sir. My oldest daughter stay with my mother, Daisy Mae Searight. 4 Q. Are either of your parents still living? 5 A. My mother living. 6 Q. What's her name? 7 A. Daisy Mae Searight. 8 Q. If I had been listening better, I would have realized that, wouldn't I? 9 realized that, wouldn't I? 10 What was your father's name? 11 A. Ward Junior Hunter. 12 Q. Ward what? 13 A. Ward Hunter, Jr. 14 Q. Ward Holly, Jr.? 15 A. Hunter, H-U-N-T-E-R. Hunter. 16 Q. When did he pass? 17 A. About maybe five years ago. 18 Q. What kind of work did he do? 19 A. Pulpwood all our life. Paper wood. 20 Q. Does your mother still work anywhere or is she retired? 21 A. Yes, sir. 22 Q. Did you go to high school, Mr. Searight? 33 A. Yes, sir. 44 Q. Did you graduate? 5 A. No, sir. 5 Q. What is your wife's name? 1 A. No, sir. 2 Q. Did you graduate? 5 A. No, sir. 5 Q. What is your wife's name? 1 A. No, sir. 5 Q. What is your wife's name?		Sidon of John 71, Scaright, 51.		
2 A. No, sir. My oldest daughter stay with my mother, Daisy Mae Searight. 4 Q. Are either of your parents still living? 5 A. My mother living. 6 Q. What's her name? 7 A. Daisy Mae Searight. 8 Q. If I had been listening better, I would have relized that, wouldn't I? 10 What was your father's name? 11 A. Ward Junior Hunter. 11 A. Ward Junior Hunter. 11 A. Ward Junior Hunter. 11 Q. Ward what? 12 Q. Ward what? 13 A. Ward Hunter, Jr. 14 Q. Ward Holly, Jr.? 15 A. Hunter, H-U-N-T-E-R. Hunter. 16 Q. When did he pass? 17 A. About maybe five years ago. 18 Q. What kind of work did he do? 20 Q. Does your mother still work anywhere or is she retired? 21 A. She never worked. 22 A. She never worked. 22 A. She never worked. 23 Q. Were you raised by your natural parents? 24 Q. Did you go to high school, Mr. Searight? 25 A. No, sir. 26 Q. What high school did you go to? 27 A. Lowndes County High. 3 Q. Do you go to branch anywhere once a month or more often? 3 Q. Do you go to branch anywhere once a month or more often? 4 A. No, sir. 5 Q. What's the full name of the Bethlehem Missionery Bethist or Bethlehem Missionery Bethist or Bethlehem Missionery Bethist or Bethlehem somethingelse? 4 A. Bethlehem somethingelse? 5 A. Baptist - MRS. SEARIGHT: Christian. 5 A. Christian. 6 A. Christian. 6 A. Christian. 7 A. Alfort Deposit. 9 A. Yes, sir. 10 Q. Ward Holly, Jr.? 11 A. Pollard Street. 12 Q. Pardon me? 13 A. Yes, sir. 14 Q. Wind the pass? 15 A. Pollard Street. 16 Q. What sin of work did he do? 17 A. About maybe five years ago. 18 Q. Did you go to high school, Mr. Searight? 20 Q. Does your mother still work anywhere or is she retired? 21 A. No, sir. 22 Q. Did you go to high school, Mr. Searight? 23 Q. Wind it is your wife's name? 24 A. No, sir. 25 Q. What is the full live dogether before you got marriage? 26 A. No, sir. 27 A. Lowndes County High. 28 A. Yes, sir. 29 A. To the ninth. 30 Q. What's the highest grade you got to? 31 A. Yes, sir. 32 Q. What sin bighest of the did your marriage? 33 Q. What sin bighter the full have a probably a		Page 9		Page 11
2 A. No, sir. My oldest daughter stay with my mother, Daisy Mac Searight. 4 Q. Are either of your parents still living? 5 A. My mother living. 6 Q. What's her name? 7 A. Daisy Mac Searight. 8 Q. If I had been listening better, I would have relized that, wouldn't I? 10 What was your father's name? 11 A. Ward Junior Hunter. 11 A. Ward Junior Hunter. 12 Q. Ward what? 13 A. Ward Hunter, Ir. 14 Q. Ward Holly, Jr.? 15 A. Hunter, H-U-N-T-E-R. Hunter. 16 Q. When did he pass? 17 A. About maybe five years ago. 18 Q. What kind of work did he do? 20 Q. Does your mother still work anywhere or is she retired? 21 A. She never worked. 22 A. She never worked. 22 A. She never worked. 23 Q. What whigh school, Mr. Searight? 4 Q. Did you go to high school, Mr. Searight? 5 A. No, sir. 6 Q. What high school did you go to? 7 A. Lowndes County High. 8 Q. What's the full name of the Bethlehem Missionary Baptist or Bethlehem Missionary Baptist or Bethlehem something else? 4 A. Bethlehem something else? 4 A. Baptist - 8 Bethlehem something else? 4 A. Bethlehem something else? 5 A. Baptist - 6 Q. What sin cher's name? 6 A. Ather to beposit? 7 A. Aut Fort Deposit? 7 A. Pollard Street. 9 A. Yes, sir. 9 Q. Wish with a fort Deposit? 1 A. Yes, sir. 2 Q. Pid you go to go to get to that one, do you? A. No, sir. 1 A. Yes, sir. 2 Q. Did you go to high school, Mr. Searight? 3 A. Yes, sir. 4 Q. Did you go to high school, Mr. Searight? 5 A. No, sir. 5 Q. What is the full name of the Bethlehem Missionary Baptist or Bethlehem something else? 1 A. A Bethlehem something else? 1 A. Bethlehem something else? 1 A. Bethlehem something else? 1 A. A Polard Street. 1 So you don't have very far to go to get to that one, do you? 1 A. No, sir. 2 Q. Did you go to high school, Mr. Searight? 3 A. Yes, sir. 4 Q. Did you go to high school, Mr. Searig	1	O. Both your daughters live with you there?	1	A. Yes. sir.
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6 Q. What's her name? 7 A. Daisy Mae Searight. 8 Q. If If had been listening better, I would have realized that, wouldn't!? 10 What was your father's name? 11 A. Ward Junior Hunter. 11 Q. Ward what? 12 Q. Ward what? 13 A. Ward Hunter, Jr. 14 Q. Ward Holly, Jr.? 15 A. Hunter, H-U-N-T-E-R. Hunter. 16 Q. What hind of work did he do? 17 A. About maybe five years ago. 18 Q. What kind of work did he do? 19 A. Pulpwood all our life. Paper wood. 20 Q. Does your mother still work anywhere or is she retired? 21 A. She never worked. 22 A. She never worked. 23 Q. Were you raised by your natural parents? 24 A. Yes, sir. 2 Q. Did you go to high school, Mr. Searight? 3 A. Yes, sir. 4 Q. Did you graduate? 5 A. No, sir. 6 Q. What high school did you go to? A. Lowndes County High. 8 Q. What's the highest grade you got to? A. To the ninth. Q. Have you gone back and gotten a GED or anything like that? A. Yes, is go every Sunday. D. Q. Where is that church located? A. At Fort Deposit. A. At Fort Deposit. A. Pollard Street. So you don! thave very far to go to get to that one, do you? A. Yes, sir. B. Q. Wir. Searight, are you a member of any type or organization or a professional organization, whether it's a fraternal organization or a professional organization, benevolent, union, social club, hunt clubs, card clubs, pool clubs, masons or anything like that? 1 A. No, sir. C. Q. What high school did you go to? A. Lowndes County High. C. Q. What's the highest grade you got to? A. To the ninth. C. Q. What's the highest grade you got to? A. No, sir. C. Q. What's the highest grade you got to? A. To the ninth. C. Q. What's the highest grade you got to? A. No, sir. C. Q. Did you go to church anywhere once a month or more often? C. A. Yes, I go every Sunday. C. A. Yes, sir. C. Q. Where is that church located? A. A Horit The Searight. A. A Herila Church Interesting the first the profile in Fort Deposit. C. Did yail live together before you got married? A. Yes, sir. C. Q. Have you been married before this marriage? A. Yes, sir. C. Q. Have you	1			
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A. Pulpwood all our life. Paper wood. Q. Does your mother still work anywhere or is she retired? A. She never worked. Q. Were you raised by your natural parents? Page 10 Page 10 Page 10 Page 10 Page 10 A. Yes, sir. Q. Did you go to high school, Mr. Searight? A. No, sir. Q. Did you graduate? A. No, sir. Q. Did you graduate? A. No, sir. Q. What high school did you go to? A. Lowndes County High. Q. What's the highest grade you got to? A. To the ninth. Q. Have you gone back and gotten a GED or anything like that? A. No, sir. Q. Do you go to church anywhere once a month or more often? A. Yes, I go every Sunday. Q. Where is that? A. Bethlehem We got two churches we go to. We go at night to New Zion. THE WITNESS: Ain't it, Lisa? What Page 10 1 A. No, sir. 1 A. No, sir. 2 Q. Have you ever been a member of any type of organization, whether it's a fraternal organization, paper is a fraternal organization, whether it's a fraternal organization, organization, organization, organization, organization, whether it's a fraternal organization, paper is benevolent, union, social club, hunt clubs, card clubs, pool clubs, masons or anyhing like that? A. No, sir. 2 Q. Have you ever been a member of any type of organization, whether it's a fraternal organization, paper is benevolent, union, social club, hunt clubs, card clubs, pool clubs, masons or anyhing like that? A. No, sir. 2 Q. Have you ever been a member of any type of organization like that? A. No, sir. 5 Q. What is your wife's name? A. Alecia Searight Michelle Scaright. A. Probably a year and a few months. Q. Did y'all live together before you got married? A. Yes, sir. A. Yes, sir. Q. How long have y'all lived together? A. No, sir. Q. Have you been married before this marriage? A. No, sir. Q. Where did your marriage take place? A. No, sir. Q. Where did your marriage take place? A. At Bethlehem church. Q. And that's in	Ł			
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19 THE WITNESS: Ain't it, Lisa? What 19 Q. And that's in		=		· · · · · · · · · · · · · · · · · · ·
1				· · ·
MRS. SEARIGHT: Freedom Life. 21 Q. Lowndes County?				_
22 A. Freedom Life. I go there with my wife now. 22 A. Yes, sir.				-
23 Q. You go to Bethlehem and Freedom Life? 23 Q. And you and your wife have three children				
	To See and			

Deposition of John A. Searight, Sr.

March 3, 2006

Page 15 Page 13 A. Let me see. The Airport System. We made 1 1 together? jacks (phonetic) and stuff down there at Fort 2 A. Yes, sir. 2 3 Deposit. Airport. Let me see. Airport 3 O. And that would be John, Jr. and your two Systems, that was the name of it. 4 4 daughters? 5 O. How long did you work there? 5 A. Yes, sir. A. Maybe about a year. 6 O. Julisa and Jessica? 6 7 Q. What did you do there? 7 A. Yes, sir. 8 A. I paint the jacks that we made. Q. How do you spell Julisa's name? 8 O. Where did you work before that? 9 9 A. I cannot spell it, but my wife can. A. I didn't work nowhere. 10 O. Mr. Searight, have you ever been arrested for 10 O. How long was it between when you worked there 11 11 anything? and the last time you had a job? A. Yes, sir. 12 12 A. Never had none. I just cut a yard. 13 O. What was that? 13 O. What I'm trying to figure out is how you 14 14 A. Distribution of cocaine with -- selling it supported yourself and your family during that anyway -- and tickets. 15 15 period of time. 16 O. You were arrested for selling cocaine? 16 A. Well, I got disabled and I start ... 17 A. Yes, sir. 17 O. What kind of disability do you have? 18 O. Where did that take place? 18 A. SSI. 19 A. In '92. 19 O. What's that for? 20 Q. What county was that in? 20 21 A. I messed my back up and my legs up in a car A. Lowndes County. 21 wreck. Then in school, special ed, slow O. What happened with that? 22 22 learner. A. He give me a year and a day in the State 23 23 Page 16 Page 14 Q. You were in special ed? 1 penitentiary. 1 A. Yes. sir. 2 2 O. Any other felony arrests that you have? Q. You were in special ed in school? 3 3 A. No, sir. 4 A. Yes sir. O. The others are traffic arrests? 4 Q. Do you get a check because of that too? 5 A. One or two times, yes, sir. 5 A. That basically how I got on it the first time. O. When did you get through serving your time in 6 6 Q. How long have you been drawing a disability 7 the penitentiary for that distribution of 7 8 cocaine? check? 8 9 A. About ten years. A. In '93, something like that. 9 O. When did you first get on it because of your 10 O. Have you ever served in the military? 10 special ed? 11 11 A. No. sir. 12 A. Maybe in '96 or something like that. O. Where do you work, Mr. Searight? 12 O. Let me just ask you this: You're not in this A. I do lawn service for myself. 13 13 lawsuit making any claim for any kind of money 14 Q. Do you have any employees? 14 or expenses or anything that you've personally 15 A. No. sir. I do it for myself. 15 16 had as a result of this, are you? Q. How long have you been in that line of 16 A. No, sir. 17 17 business? Q. The only thing that you're claiming is any 18 A. Maybe -- Probably two years. 18 expenses or injuries that your son had; is O. What's the name of your lawn service? 19 19 that correct? 20 A. It don't have a name to it. I just -- If 20 21 A. Yes, sir. somebody want me to cut their yard, I do it. 21 Q. Going back to the date of this incident, what 22 Q. Where did you work before you started your 22 23 was the first time that you realized that lawn service business? 23

Page 19

Page 20

1 there was something going on on this day with 2 Candy Man and Officer Campbell?

- A. Me and my wife, we was in the house watching television. And my brother came to the house and told me, Curt Campbell got your son bent down by the neck, and he told Curt Campbell to
- 7 turn loose or he going to kill him. So me and 8 my wife ran down there.
- 9 O. What brother is this?
- A. Tomeka, the one they call Pap. 10
- O. Tomeka? 11
- A. Searight. 12

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- Q. So he came up to the house and told you about 13 14 this?
- 15 A. Yes, sir.
- Q. Did you go straight down to where this was 16 going on? 17
- A. Yes, sir. 18
- 19 Q. And your wife went with you?
- 20 A. Yes, sir.

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- 21 Q. How long did it take you to get from your
- 22 house to where this was going on?
- A. From my best information, it would be like 23

Q. What did you see on his neck? 1

- A. Where he had pressed down around his neck, 2 3 because it was swelling.
 - Q. Tell me and describe as best you can what you saw on Candy Man's neck when you got there.
- 6 A. Whelps.
 - Q. Welts?
- 8 A. Whelps. Like a mark or hand print or like a 9 mark like the arm or something. There was a 10 big whelp right in there.
- O. Well, did you see a hand print or an arm 11 12
 - A. Best I see, I seen a big whelp around the neck where it was swelling at.
- 15 Q. So you saw something on his neck, but you don't know if it was a hand print or an arm 16 17 print?
- 18 A. Well, I see -- Well, to me, it's a arm print 19 because it was big and wide right there. It
- 20 wasn't like fingerprints, because I know
- 21 because somebody had choked me before. It was 22
 - something like he had an arm right in there.
 - O. What did this whelp look like on his neck?

Page 18

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- five to six minutes.
- 2 Q. How far distance-wise is it from your house to 3 where this was going on?
- 4 A. About 150 yards. Maybe a little further.
- 5 Q. What did you see when you got there?
 - A. My boy with his knees on the ground, slob coming out his mouth, crying and just sweating and shirt messed up. And Curt got his hand on his back like that right there. When I got there -- my wife was with me -- I told her to step back. And I said, Officer Campbell, I said, turn my boy loose; let him go. And when I told him to turn him loose and let him go, he wouldn't turn aloose and let him go.

There was a lot of neighbors talking and stuff. I told my wife, just stay back right there and I'll talk to Curt myself, because I knew Curt. And he wouldn't let him go. And my boy, snot running out of his nose and big (unintelligible) coming out, and I could tell he had been hurt bad, because I looked at the whelp and stuff from the finger, the way he had him around the neck. I see'd all this.

A. The way he was sweating, he had looked like it 1 was swelling. All the sweat and snot, he 2 looked like he was swelling. I wanted him to 3 4 take off the handcuffs so I can try to get him somewhere. 5

- 6 Q. How far were you away from Candy Man when you 7 saw this swelling on his neck?
 - A. I was right up to him and Curt Campbell, from about this far apart looking down at him talking to Curt to turn him aloose and holding his head up and looking him in the face.
- Q. You're holding your hands saying this far 12 13
 - A. About this far apart.
- O. She needs to know a distance to write that 15 16 down.
- 17 A. Well, maybe 2 foots.
- Q. What happened after you got there and saw that 18 19 swelling on his neck and told Curt Campbell to 20 let him go?
- 21 A. Curt Campbell -- All the motion going on, and 22 I asked him what was going on, and he wouldn't 23 let him go right then. After everything -

	Page 21	Page 23
1	About five or six minutes, then he finally	1 them do anything to try to stop him or did
2	turn him aloose.	2 they tell that you they had done anything to
3	Q. Did you have any talk with Officer Campbell in	3 try to stop Officer Campbell from doing
4	this five or six minutes before he turned him	4 anything to Candy Man?
5	loose?	5 A. No, sir. But they told me they told
6	A. I asked him I said, why I asked him	6 Officer Campbell, said, Curt, you better turn
7	Travis right there told me right there in	7 him aloose because you're going to kill him.
8	front of Curt that Curt said that he going to	8 Q. He didn't kill him, did he?
9	put your son to sleep. And I asked Curt I	9 A. Well, if he hadn't turned him aloose he
10	said He said, I said that because I was	10 probably would.
11	holding him like that, the way you supposed to	11 Q. How do you know that?
12	do; I told him I'd put him to sleep, and I	12 A. I wouldn't know, but
13	just pressed him a little bit. And he told me	Q. He turned loose of him before you got there,
14	he was going to put him to sleep. That's what	14 didn't he?
15	Curt told me, me and Travis Searight right	MR. LEWIS: Object to the form. Go
16	there.	16 ahead. 17 A. Yes, sir. Because I didn't see that part.
17	Q. So Officer Campbell told you he was going to	17 A. Yes, sir. Because I didn't see that part. 18 Q. In fact, you didn't see any of this bit when
18	put Candy Man to sleep?	19 Officer Campbell was having to get control of
19	A. He told me he told Candy Man he was going to	20 Candy Man, did you?
20	put him to sleep, because everybody else around the table telling me I mean, around	21 MR. LEWIS: Object to the form.
21 22	the thing telling me that They told Curt	22 A. Only I see Officer Campbell had him down and
23	not to hurt Candy Man. Curt, you choking him;	he was sweating. And when I got closer to
2.5	not to hait Candy Wan. Curt, you choking min,	25 16 (44 5 7) 64 15 15 15 15 15 15 15 15 15 15 15 15 15
	Page 22	Page 24
1	you hurting him. Candy Man was about to pass	1 him, I see his neck swelling up. That's all I
2		1 him, I see his neck swelling up. That's all I 2 see.
2 3	you hurting him. Candy Man was about to pass out. That's what everybody down there told me.	 him, I see his neck swelling up. That's all I see. Q. So you saw Candy Man was sweating when you got
2 3 4	you hurting him. Candy Man was about to pass out. That's what everybody down there told me. Q. I'm sorry. Said he was going to what?	 him, I see his neck swelling up. That's all I see. Q. So you saw Candy Man was sweating when you got there?
2 3 4 5	you hurting him. Candy Man was about to pass out. That's what everybody down there told me. Q. I'm sorry. Said he was going to what? A. The witnesses told me that Candy Man I	 him, I see his neck swelling up. That's all I see. Q. So you saw Candy Man was sweating when you got there? A. His neck was swelling up and he had snot
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I told him I deal with my son when I get him

Q. How were you going to deal with him when you 23

Deposition of John A. Searight, Sr.

21

22

23

to the house.

Depo	osition of John A. Searight, Sr.		March 3, 200
	Page 25	5	Page 27
1	Q. Let me backtrack a little bit here,	1	got to the house?
2	Mr. Searight. You said you got down there and	· i	A. I was going home and talk to him. But on my
3	immediately saw the swelling on the neck, and	$\frac{1}{3}$	way going to the house, his neck was hurting
4	you told Officer Campbell to turn Candy Man	4	and he was gasping for his wind. He couldn't
5	loose; is that right?	5	hardly breathe.
6	A. Yes, sir.	6	Q. Do you know why he was gasping?
7	Q. Now, what happened right after you told	7	A. Because his neck was swelling.
8	Officer Campbell to turn him loose?	8	Q. While all this was going on, did you hear your
9	A. He didn't turn him loose right then.	9	son cussing at Officer Campbell?
10	Q. Did Officer Campbell say anything to you at	10	
11	that time?	11	A. No, sir. You had many people down there
			talking. I didn't hear nothing like that.
12	A. Well, he told everybody else to get back. And		Q. You didn't Are you saying that your son
13	my wife was talking, and I told her to stay	13	didn't cuss at Officer Campbell or are you
14	you stay right there. I said, I can handle	14	just saying you didn't hear him cuss at
15	this myself; I know Curt. Basically he was	15	Officer Campbell?
16	saying something, but he didn't turn him	16	A. I'm saying I didn't hear nobody cuss Officer
17	aloose. He sat there a few more minutes, and	17	Campbell.
18	then basically in a little bit he turned him	18	Q. Is it possible he did that while all this was
19	loose. My wife was taking him back to the	19	going on and you didn't hear it?
20	house, my son. I asked Curt what went on, and	20	MR. LEWIS: Object to the form.
21	I said, what charge made you did that? He	21	A. I didn't hear nobody cuss Officer Campbell.
22	said, well, when he get a report, he'll send	22	Q. Did you hear him threaten to kill Officer
23	me one. Said when he write up something,	23	Campbell?
	Page 26		Page 28
1	he'll send me one.	1	A. I didn't hear nobody cuss Officer Campbell.
2	Q. During this time, during this five or six	2	Q. Pardon me?
3	minutes when you were standing there after you	3	A. I didn't hear nobody cuss Officer Campbell.
4	told Officer Campbell to turn Candy Man loose	4	Q. Did you hear Candy Man say, I'm going to kill
5	and before he turned him loose, did you hit	5	you?
6	your son or pop him in the back of the head or	6	A. No, sir. I didn't hear nobody tell Officer
7	in the back to get him to calm down?	7	Campbell they going to kill him.
8	A. No, sir. I was rubbing my son.	8	Q. Did at any point in time on that evening you
9	Q. Pardon me?	9	hear Candy Man cussing at Officer Campbell?
10	A. I was rubbing my own son.	10	A. No, sir. I didn't hear nobody cuss Officer
11	Q. You were	11	Campbell.
12	A. I was rubbing him. He was crying already. I	12	Q. Did at any time that evening you hear Candy
13	didn't hit him.	13	Man say, I'm going to kill you, or threaten to
14		14	kill him?
	Q. Have you ever spanked him? A. On occasion.		\$20 miles
15		15	A. No, sir. I didn't hear nobody say they are
16	Q. What else was said between you and Officer	16	going to kill Officer Campbell.
17	Campbell during this period of time before he	17	Q. Did anybody tell you that Candy Man did not
18	turned Candy Man loose?	18	shoot a bird at Officer Campbell?
19	A. He basically was telling me he wasbeing	19	A. Well, didn't nobody tell me he told me he
20	disrespectful to him, throwing up a bird. And	20	was shooting a bird at his auntie. His auntie
, .			

21

22

is my sister, and he always do that.

your sister?

Q. You let him get away with shooting birds at

	Page 29		Page 31
1	·	1	you?
	A. I'm not going to choke the neck for all that.	2	A. Well, no, sir.
2	Q. That's not a good thing to do, is it? MR. LEWIS: Object to the form.	3	Q. When you got back to the house, you and your
3	A. Well	4	wife and Candy Man, whose decision was it to
4		5	call for an ambulance?
5	Q. Which sister was this that he told you that he	6	A. It was both of us decision because we see our
6	was shooting the bird at? A. Willie Nell.	7	son laying down there on the couch trying to
7 8	Q. He didn't deny shooting a bird that evening,	8	catch a breath, and his neck was swelling. I
9	did he?	9	got some alcohol and kind of rubbed his neck
10	A. No, sir.	10	because for him to feel better.
11	Q. How did you and Candy Man get back to your	11	MR. LEWIS: He just asked you whose
12	house?	12	idea it was. All right?
13	A. Me and my wife hold him around the waist	13	THE WITNESS: Yes, sir.
14	because he couldn't catch no air and took him	14	Q. What ambulance did you call?
15	home and laid him down. Then he got a little	15	A. Hayneville.
16	worse, and we called the rescue squad.	16	Q. Hayneville?
17	Q. You said you had him caught around the waist.	17	A. I reckon. I didn't call.
18	What do you mean by that?	18	Q. Who called?
19	A. She had him on one side and I had him on one	19	A. My wife had somebody call.
20	side.	20	Q. Have you got a phone in your house?
21	Q. He was walking, wasn't you?	21	A. No, sir.
22	A. Yeah. He was walking slow. He couldn't catch	22	Q. Got a cell phone?
23	air.	23	A. No, sir.
			<u> </u>
	Page 30		Page 32
1	Q. What happened when you got home?	1	Q. Does your wife have a cell phone?
2	A. We laid him down.	2	A. No, sir.
3	Q. Why did you lay him down?	3	Q. Any of your daughters have a cell phone?
4	A. Laid him down in there and put a pillow up	4	A. No, sir.
5	under his head and cleared up his face where	5	Q. You just know your wife told somebody to call
6	all the slob and everything that after	6	the ambulance for you?
7	being choked and by he trying to catch air	7	A. Yes, sir.
8	back again and cleanhim up a little bit.	8	Q. Do you know what ambulance company it was that
9	Q. Now, you keep saying all this slob and	9	showed up?
10	everything else was from getting choked, but	10	A. Hayneville, I reckon.
11	you don't know that for a fact, do you?	11	Q. How long was it before they got there?
11			•
12	A. Well, I know the only thing I know, I see	12	A. I expect 25 to 30 minutes.
	A. Well, I know the only thing I know, I see snot running and slob coming out his mouth.	13	A. I expect 25 to 30 minutes. Q. Who talked to the ambulance people when they
12 13 14	A. Well, I know — the only thing I know, I see snot running and slob coming out his mouth.Q. And when somebody is fighting and crying and	13 14	A. I expect 25 to 30 minutes. Q. Who talked to the ambulance people when they got there?
12 13 14 15	 A. Well, I know — the only thing I know, I see snot running and slob coming out his mouth. Q. And when somebody is fighting and crying and carrying on and hollering and mad, they get 	13 14 15	A. I expect 25 to 30 minutes.Q. Who talked to the ambulance people when they got there?A. My wife.
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12 13 14 15 16 17 18 19 20	 A. Well, I know — the only thing I know, I see snot running and slob coming out his mouth. Q. And when somebody is fighting and crying and carrying on and hollering and mad, they get slobber and sweat on their face too, don't they? MR. LEWIS: Object to the form. A. Well, I experienced it my own self because I have been choked before by a bigger person. I 	13 14 15 16 17 18 19 20	 A. I expect 25 to 30 minutes. Q. Who talked to the ambulance people when they got there? A. My wife. Q. What did she tell them? A. I don't know, sir, because I was in the house with my son. Q. Did Candy Man talk with the ambulance people to your knowledge?
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12 13 14 15 16 17 18 19 20 21 22	 A. Well, I know — the only thing I know, I see snot running and slob coming out his mouth. Q. And when somebody is fighting and crying and carrying on and hollering and mad, they get slobber and sweat on their face too, don't they? MR. LEWIS: Object to the form. A. Well, I experienced it my own self because I have been choked before by a bigger person. I slobbed, and it hurt me real hard. Q. But you didn't actually see that happen to 	13 14 15 16 17 18 19 20 21 22	 A. I expect 25 to 30 minutes. Q. Who talked to the ambulance people when they got there? A. My wife. Q. What did she tell them? A. I don't know, sir, because I was in the house with my son. Q. Did Cardy Man talk with the ambulance people to your knowledge? A. Not to my knowledge. My wife was with them. Q. Pardon me?
12 13 14 15 16 17 18 19 20 21	 A. Well, I know — the only thing I know, I see snot running and slob coming out his mouth. Q. And when somebody is fighting and crying and carrying on and hollering and mad, they get slobber and sweat on their face too, don't they? MR. LEWIS: Object to the form. A. Well, I experienced it my own self because I have been choked before by a bigger person. I slobbed, and it hurt me real hard. 	13 14 15 16 17 18 19 20 21	 A. I expect 25 to 30 minutes. Q. Who talked to the ambulance people when they got there? A. My wife. Q. What did she tell them? A. I don't know, sir, because I was in the house with my son. Q. Did Cardy Man talk with the ambulance people to your knowledge? A. Not to my knowledge. My wife was with them.

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	Page 33		Page 3
1	Q. How did Candy Man get out of the house?	1	MRS. SEARIGHT: Golden.
2	A. They got him out.	2	THE WITNESS: Dr. Golden.
3	Q. How did they get him out?	3	MRS. SEARIGHT: Golden.
4	A. They pulled the little bed thing up to the	4	MR. LEWIS: I just wanted to
5	door and picked him up and laid him in there.	5	straighten that out.
6	Q. What all did they do with him when they put	6	COURT REPORTER: Say that again.
7	him on that little bed thing?	7	Gogan?
8	A. They put a brace around his neck.	8	MR. DUKES: Golden, G-O-L-D-E-N; is
9	Q. Anything else?	9	that correct?
10	A. They put him in the rescue car.	10	MRS. SEARIGHT: It's G-O-L-O-M-B.
11	Q. Where did they take him?	11	MR. LEWIS: Oh, Phillip Golomb.
12	A. To the hospital, Stabler.	12	Q. The day all this happened on, was it a Sunday?
13	Q. Stabler Hospital in Greenville?	13	A. I don't know, but it was during the summer.
14	A. Yes, sir.	14	Q. If the incident report said that it happened
15	Q. Did you go to the hospital too?	15	on May 15 of 2005, would you have any reason
16	A. She rode with him and I came later.	16	to dispute that?
17	Q. How much later was it that you got there?	17	A. No, sir.
18	A. Maybe three minutes after they got there.	18	Q. Do you recall about what time in the evening
19	Q. Do you know what procedures or examination or	19	it happened?
20	anything they did with Candy Man while he was	20	A. It was between seven and seven-thirty.
21	there at the hospital?	21	Q. Getting back to what we were talking about,
22	A. They give him a X-ray and check his neck out	22	you said you took Candy Man to Dr. Golomb on
23	and give a prescription and told us to follow	23	Tuesday, two days after this; is that correct?
ı	Page 34		Page 36
1	up to a doctor and take him to a doctor. We	1	A. Yes, sir.
2	took him two days later.	2	Q. What kind of examination or test did
3	Q. What did they tell you, if anything, was wrong	3	Dr. Golomb do?
4	with Candy Man?	4	A. He examined his neck and got took him to
5	A. His neck was bruised.	5	the lab and took a X-ray of his neck and give
6	Q. Anything else?	6	some medication.
7	A. We should follow up with his doctor.	7	Q. What kind of medication did he give?
8	Q. What doctor did you take him to?	8	A. He give something for the swelling and
9	A. Dr. Garth.	9	something for pain.
10	Q. How do you spell his name?	10	Q. Do you remember what the medication was?
11	A. I don't know how to spell his name.	11	A. No, sir. I can't recall that.
12	Q. Pronounce it again for me.	12	Q. Where did you take the prescriptions to get
13	A. Dr. Garland (phonetic).	13	them filled?
14	Q. Garland?	14	A. At Fort Deposit.
15	A. Garland.	15	Q. Where in Fort Deposit?
16	Q. Where is his office?	16	A. Drugstore.
17	A. Fort Deposit.	17	Q. What's the name of the drugstore in Fort
	Q. When did you take him to see him?	18	Deposit?
	A. A couple of days later. He only come on	19	A. I don't know, sir.
20	Tuesday.	20	Q. What did Dr. Golomb tell you was wrong with
21	MR. LEWIS: Let me see if I	21	Candy Man, if anything?
	understand if Is if Cianoin	ZZ-	A. His neck had been bruised and he had hain
22 23	understand it. Is it Gaugin, G-A-U-G-I-N, in Montgomery?	22 23	A. His neck had been bruised and he had pain. Watch him Watch the swelling and everything

Page 39 Page 37 anything they paid for Candy Man's medical and bring him back the next Tuesday. 1 1 treatment? O. Did you bring him back the following Tuesday? 2 2 3 A. No. sir. 3 A. Yes sir. O. What grade in school is Candy Man? Q. How many times did you take him to Dr. Golomb? 4 4 A. He was in the sixth then. A. To my recommend [sic], three to four times. 5 5 O. Is he in the seventh now? We made an appointment and I took him back. 6 6 7 A. Yes, sir. 7 O. Pardon me? 8 O. How many grades has he had to repeat? A. We givehim an appointment every time Itook 8 him to bring him back. 9 9 Q. What grades were those? O. Did you take him to any doctors other than 10 10 A. First and second, I think. 11 Dr. Golomb? 11 O. Why did he have to repeat those grades? 12 12 A. No. sir. A. He a slow learner just like me. O. Did Dr. Golomb put any restrictions on what he 13 13 O. Has Candy Man had any behavioral problems at could do after he saw him the first time? 14 14 A. Explain that question again because I don't 15 school? 15 A. Yes, sir. understand what you're saying. 16 16 Q. How many times has he been expelled or Q. Did Dr. Golomb say Candy Man shouldn't do 17 17 anything like play football orbasketball or 18 suspended from school? 18 A. Maybe six or seven times. baseball or anything like that afterhe went 19 19 O. Any of those for fighting? to see him? 20 20 A. Mostly talking in class, and they give him a 21 21 A. No. sir. day or two. Q. Did Cardy Man go back to doing pretty much 22 22 what he had been doing before, after he went O. Has he ever been expelled for fighting? 23 23 Page 40 Page 38 A. He have been sent home a day because the other 1 to see Dr. Golomb? 1 boy was fighting and he give both of them a 2 2 A. No, sir. Because he -- No, sir. 3 3 Q. What was different? A. Dr. Golomb told him we couldn't let him go 4 Q. How many times has he been sent home for 4 5 fighting? back to school in two weeks. Kept him out of 5 6 A. I can't recall that because -- I really school for two weeks because his neck stay 6 wouldn't know because I don't be at home. 7 7 hurting. Usually they'll give him a day -- expel him 8 O. Dr. Golomb said he couldn't go back to school 8 for a day. Sometime he don't be fighting. 9 9 for two weeks? Just like he talk in class. 10 10 A. Yes. sir. O. Do they send a note home with him or do they 11 O. It wasn't because he had been suspended or 11 call you to come up to the school when he's 12 expelled, was it? 12 expelled or suspended? 13 A. No, sir. 13 A. He call his mama to come. 14 O. Do you know how much his medical bills were 14 Q. You didn't go; she went? for the emergency room at Stabler Hospital? 15 15 A. I only went maybe one or two times. 16 A. No, sir. 16 Q. So as we're sitting here today, you don't Q. Do you know how much his bills were for 17 17 really know how many times he's been expelled Dr. Golomb? 18 18 or suspended for fighting at school? 19 19 A. No, sir. A. No, sir, I don't. 20 20 Q. Who paid for his medical treatment at the Q. You heard Officer Campbell talk about all hospital and by Dr. Golomb? 21 21 these times that he's had trouble or other A. We had Medicare insurance. 22 22 people have had trouble with Candy Man. Do O. Has Medicare made a claim tobe repaid for 23 23

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1	you have any reason to dispute what he says	1	them now, he don't want to be he get out
2	about all those incidents?	2	their way and he don't be around them. He
3	A. Yes, sir, because I ain't never heard nobody	3	afraid of them now.
4	say nothing like that about Candy Man.	4	Q. What kind of nightmares has he had?
5	Q. You've never heard of him being in trouble for	5	A. I couldn't tell you, sir, but I know he dream
6	any of those things?	6	and wake up and sweating and be hollering in
7	A. No, sir.	7	his sleep.
8	Q. Are you aware of the time his mama whipped him	8	Q. How often does he have these nightmares?
9	and his sisters for turning off the lights	9	A. During that term he had them every other
10	there in the project? A. I wasn't around.	10	night.
11 12	Q. Where were you?	11 12	Q. You said that term. What do you mean?A. During the term the term the officer choked
13	A. I can't recall where I was at that time.	13	him. After he got back from the hospital from
14	Q. What kind of medication is Candy Man on now?	14	that, he been having them every night from
15	A. I don't know, sir.	15	then.
16	Q. Do you know what they are for?	16	Q. How often does he have them now?
17	A. My wife know that because she give it to him,	17	A. Maybe I couldn't say that because during
18	and then Lakesha give it to him. I wouldn't	18	that term, I was watching him real close. I
19	know.	19	can't recollect now.
20	Q. Did you ever ask?	20	Q. I'm sorry. Did you say you were or were not
21	A. No, sir, I didn't.	21	watching him close?
22	Q. Mr. Searight, had you had anything to drink on	22	A. I said I'm not watching him as close as I was
23	the day of this incident?	23	then. I couldn't tell you how many nightmares
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1	A. No, sir.	1	he have now.
2	Q. You didn't have any beer or anything to drink	2	Q. Does he have his own bedroom at y'all's house?
3	that day?	3	A. Yes, sir.
4	A. No, sir.	4	Q. Has he been to any doctor, Dr. Golomb or any
5	Q. Were you on any type of medication that day?	5	of the other doctors, to see about any
6	A. No, sir.	6	problems any mental, nervous or emotional
7	Q. Were you on any type of drugs that day?	7	problems?
8	A. No, sir.	8	A. He been The teacher sent him to the
9	Q. Are you on any type of medication today?	9	hospital in Dorothy (phonetic).
10	A. No, sir.	10	Q. Sent him to where?
11 12	Q. Is there anything today or any reason or any health problems or anything else that would	11 12	A. Dorothy. Q. Hospital in Dorothy?
13	interfere with your ability to hear and	13	MR. LEWIS: Dothan.
14	understand the questions I've been asking you?	14	A. Dothan.
15	A. No, sir.	15	Q. What hospital did he go to in Dothan?
16	Q. Is there any reason that you would have	16	A. It's a It's a I can't call the name of
17	trouble today remembering information and	17	it, sir.
18	answering my questions?	18	Q. What did he go to the hospital in Dothan for?
19	A. No, sir.	19	A. They wanted to change the medication that he
20	Q. Has Candy Man had any type of mental problems	20	was that the peoples up here was giving
21	since this incident?	21	him. They took him up there and monitor him.
22	A. He been having nightmares, and he's scared of	22	Q. Did any doctor recommend that he go to the
23	policemen and stuff like that. When he see	23	hospital in Dothan?
23	r		1

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1	A. No. The mental health doctor did.	1	Q. Rolanda?
2	Q. What mental health doctor?	2	MRS. SEARIGHT: Yes.
3	A. Ms. Hand.	3	A. Yes. He picked her up I was coming up. He
4	Q. What mental health?	4	was trying to stop a fight, and he picked her
5	A. Hayneville here.	5	up and body slammed her. And I didn't have
6	Q. What was he going to mental health in	6	custody over her, and I told her mama about it
7	Hayneville for?	7	and she didn't do nothing about it.
8	A. When you're a slow learner, they come by and	8	Q. She was in a fight?
9	see all the kids like that.	9	A. With another little girl.
10	Q. Now, he had been going to mental health then	10	Q. And breaking it up, he slammed her to the
11	in Hayneville for being a slow learner before	11	ground?
	this incident ever happened, right?	12	A. He slammed her to the ground, and he hurt her.
12		13	Q. Who is Rolanda Wilson's mother?
13	A. Yes, sir, he had been going there.	14	A. Tracey Wilson.
14	Q. So other than the nightmares you said he was	15	Q. When did this happen with Curt Campbell and
15	having and not wanting to be around police	1	Rolanda?
16	after this, was there any other change in his	16	
17	behavior?	17	A. Been a couple of years ago.
18	A. His neck hurt him sometime.	18	Q. Did you ever make a complaint with the chief
19	Q. Does his neck still hurt him now?	19	of police?
20	A. He said off and on. Get stiff sometime.	20	A. No, sir.
21	Q. Do you know what causes it to be stiff now?	21	Q. Did you make a complaint to the mayor?
22	A. No, sir.	22	A. No, sir.
23	Q. When did you decide to file a lawsuit?	23	Q. Did you ever go before the Fort Deposit city
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1	A. After I came up there, I wanted my other		council and make a complaint about this?
2	daughter The way I understand it,	2	A. No, sir. Her mother didn't do nothing about
3	(unintelligible) ask for help because he had	3	it so I didn't have no right because I
4	hurt one of my other daughters.	4	didn't have custody over her.
5	Q. Who hurt one of your other daughters?	5	Q. Did you go to This incident involving Candy
6	A. Curt Campbell.	6	Man, after it, did you go to the chief of
7	Q. When did he hurt your other daughter?	7	police and make a complaint?
. 8	A. Maybe a year before that time.	8	A. No, sir. I went to the clerk office, and the
9	Q. Which daughter was that?	9	clerk office sent me to the DA office. The DA
10	A. We call her Baby Ruth.	10	office sent me to the mayor, and the mayor
11	THE WITNESS: What her real name,	11	sent me to the chief. And the chief, I give
12	Lisa?	12	him the complaint.
13	A. Linda Thigpen.	13	Q. What kind of complaint did you make?
14	MRS. SEARIGHT: Rolanda Wilson.	14	A. He told me to tell Candy Man to write down
15	Q. She's your daughter?	15	everything what happened and give it to him,
16	A. Yes, sir.	16	and that's what we did.
17	Q. How many daughters do you have?	17	Q. What happened?
18	A. I don't have but two now. She died from a car	18	A. They didn't do nothing about it.
19	wreck.	19	Q. When did you give this to the chief of police?
20	Q. Linda Wilson died?	20	A. Probably about two weeks later.
21	A. Yeah.	21	Q. Do you have a copy of what you gave him?
22	MRS. SEARIGHT: Rolanda.	22	THE WITNESS: Do we have a copy of
23	A. Yolonda.	23	that?

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Page 49 Page 51 the man of my house, and that's what she go 1 MR. LEWIS: He's asking you 1 2 2 questions. A. No, sir. I don't have a copy of it now. 3 Q. So she does whatever you say because you're 3 Q. Who would have a copy of it? the man of the house? 4 4 5 A. No. She do what's right. 5 A. Our lawyer would have. And the chief of 6 O. So it was your decision to file this lawsuit 6 police. 7 and not hers? 7 O. What did the chief of police tell you after 8 A. Yes sir. 8 this? Q. How much money are you asking for in this 9 A. Nobody ever came and told me nothing else. 9 Q. Did you ever follow up with them about it? 10 lawsuit? 10 A. I'm not asking - This my lawyer and my son A. I went down there five or six times, because 11 11 case. They do that right there. Whatever 12 the first time that she told me -- said, well, 12 goes on, it's all right with me. we will have something like -- something 13 13 MR. LEWIS: Let the record reflect (unintelligible) and let him know where he was 14 14 15 wrong and everything like that. But didn't 15 Mr. Searight did not draft the nobody -- after that, she retired and ain't 16 complaint, that I did. 16 Q. Did you discuss with the lawyer how much money nobody said nothing else to me. 17 17 you were going to ask for? Q. Did you go to the mayor about it? 18 18 A. I went to the mayor the first one. A. No. sir. We never had no discussion about 19 19 Q. And what did the mayor do? 20 20 that. Q. Do you know how much money you're asking for A. He sent me to the chief. 21 21 in this complaint? Q. Did you ever follow up with the mayor and say 22 22 23 A. Well, my lawyer-- my son --23 nothing is being done? Page 50 Page 52 Q. Do you know how much money this lawsuit is A. I went to the mayor two times. 1 1 2 asking for? 2 Q. Uh-huh (positive response). A. And the mayor told me the chief hadn't give 3 A. I told you I don't have much to say about --3 Q. How much money do you expect to get out of 4 4 him the paperwork back yet. So ain't nobody 5 else said nothing else to me no more. 5 this lawsuit? 6 Q. Do you know if they investigated it and found 6 MR. LEWIS: Object to the form. 7 A. I don't know nothing about nothing like that. 7 that there had been no wrongdoing? 8 O. What have you done with Candy Man these other 8 A. They haven't investigate nothing, because 9 episodes where he's gotten in trouble for? 9 usually when they do, they be calling in the A. To my best recollection, he ain't never got in parents and the officer, but they hadn't did 10 10 no trouble. 11 11 that. 12 Q. As we're sitting here today, it's your Q. When did you decide to file a lawsuit? 12 understanding that this incident involving A. It was - Like I said, I was giving the mayor 13 13 shooting the birds is the first time he's ever time. It was a few weeks later. And I 14 14 decided if he wasn't going to do nothing about 15 had any trouble with any of the police in Fort 15 it and my son should have been -- might have 16 Deposit? 16 been killed or something from him, I'm going MR. LEWIS: Object to the form. 17 17 to file a lawsuit. That's when I decided. 18 18 A. No, sir. Q. Who decided? 19 Q. So then you're aware that he's had other 19 incidents dealing with the police in Fort 20 20 A. I did. Q. Did your wife -- Was your wife part of that 21 Deposit before this one? 21 A. No, sir. decision-making process? 22 22 23 A. I took it to her, and whatever I say -- I'm 23 Q. Well, I'm confused now, Mr. Searight. Do you

